

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:22-mj-02211-DUTY All Defendants *SEALED*
Internal Use Only**

Case title: USA v. Thai

Date Filed: 06/06/2022

Date Terminated: 06/06/2022

Assigned to: Duty Magistrate Judge

Defendant (1)

Emylee Thai

TERMINATED: 06/06/2022

represented by **Alexander Wyman**

355 South Grand Avenue Suite 100

Los Angeles, CA 90071

213-891-8825

Email: alex.wyman@lw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Katherine A. Sawyer

Latham and Watkins LLP

355 South Grand Avenue Suite 100

Los Angeles, CA 90071

213-485-1234

Fax: 213-891-8763

Email: katherine.sawyer@lw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition



Defendant in violation of 18:371




Plaintiff

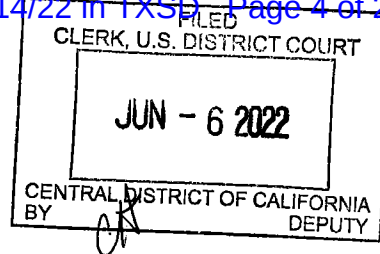
USA

represented by **US Attorney's Office**

AUSA - Office of US Attorney
Criminal Division - US Courthouse
312 North Spring Street 12th Floor
Los Angeles, CA 90012-4700
213-894-2434
Email: USACAC.Criminal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
06/06/2022	1	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Emylee Thai, originating in the Southern District of Texas. Defendant charged in violation of: 18:371. Signed by agent Jesse Vazquez, FBI; Special Agent. (ja) (Entered: 06/09/2022)
06/06/2022	2	REPORT COMMENCING CRIMINAL ACTION as to Defendant Emylee Thai; defendants Year of Birth: 1984; date of arrest: 6/6/2022 (ja) (Entered: 06/09/2022)
06/06/2022		(Court only) ***Defendant Emylee Thai ARRESTED (Rule 5(c)(3)) (ja) (Entered: 06/09/2022)
06/06/2022	3	Defendant Emylee Thai arrested on warrant issued by the USDC Southern District of Texas at Houston. (Attachments: # 1 Charging Document)(ja) (Entered: 06/09/2022)
06/06/2022	4	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Emylee Thai (ja) (Entered: 06/09/2022)
06/06/2022	5	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Paul L. Abrams as to Defendant Emylee Thai, denying 4 REQUEST for Detention as to Emylee Thai (1). Contested detention hearing held. Defendant arraigned and states true name is as charged. Attorney: Alexander Wyman,Katherine A. Sawyer for Emylee Thai, Retained, present. Court orders bail set as: Emylee Thai (1) \$650,000 Appearance Bond, SEE ATTACHED BOND FOR TERMS AND CONDITIONS. Court orders defendant held to answer to Southern District of Texas. Bond to Transfer. Defendant ordered to report on 6/27/22. Electronic Release Order Court Smart: CS 6/6/22. (ja) (Entered: 06/09/2022)
06/06/2022		(Court only) Time in Court recorded for Detention Hearing as to Defendant Emylee Thai (ja) (Entered: 06/09/2022)
06/06/2022	6	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Plaintiff USA as to Defendant Emylee Thai. (ja) (Entered: 06/09/2022)
06/06/2022	7	CONSENT to Video Conference/Telephonic Conference filed by Defendant Emylee Thai. (ja) (Entered: 06/09/2022)
06/06/2022	8	WAIVER OF RIGHTS approved by Magistrate Judge Paul L. Abrams as to Defendant Emylee Thai. (ja) (Entered: 06/09/2022)

06/06/2022	9	MEMORANDUM FOR RELEASE ORDER AUTHORIZATION filed by PSA Officer as to Defendant Emylee Thai. Submitted in compliance with conditions as set forth in Bond and Conditions (ja) (Entered: 06/09/2022)
06/06/2022	13	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$150,000 by surety: Lillian Diem Thai for Bond and Conditions Filed by Defendant Emylee Thai (ja) (Entered: 06/09/2022)
06/06/2022	 14	SEALED UNREDACTED Affidavit of Surety (CR-4) filed by Defendant Emylee Thai re: Affidavit of Surety (No Justification)(CR-4) 13 (ja) (Entered: 06/09/2022)
06/06/2022		(Court only) ***Magistrate Case Terminated (ja) (Entered: 06/09/2022)
06/07/2022	10	DECLARATION RE: PASSPORT filed by Defendant Emylee Thai, declaring that I have been issued a passport or other travel document(s), but they are not currently in my possession. I will surrender any passport or other travel document(s) issued to me, to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case. (ja) (Entered: 06/09/2022)
06/07/2022	11	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$500,000 by surety: Emylee Thai for Bond and Conditions Filed by Defendant Emylee Thai (ja) (Entered: 06/09/2022)
06/07/2022	 12	SEALED UNREDACTED Affidavit of Surety (CR-4) filed by Defendant Emylee Thai re: Affidavit of Surety (No Justification)(CR-4) 11 (ja) (Entered: 06/09/2022)
06/09/2022		Notice to Southern District of Texas of a SEALED Rule 5 or Rule 32 Initial Appearance as to Defendant Emylee Thai. Your case number is: 422-mj-1272. The clerk will transmit ALL restricted documents via email. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (ja) (Entered: 06/09/2022)

Date Approved: June 6, 2022 Extension: _____By: Andrew Tamayo☐ PSA Officer (for material witness only) ☒ AUSASignature: /s/ Andrew Tamayo

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

PLAINTIFF,

v.

EMYLEE THAI a/k/a THU THAI

DEFENDANT(S).

CASE NUMBER

4:22-mj-127222mj2211**AFFIDAVIT OF SURETY (NO JUSTIFICATION)**

I, the undersigned surety, state on oath that I permanently reside within the jurisdiction of the United States District Court for the Central District of California at the address indicated below or in (City, State):

I further state that I understand the provisions of the bond executed by the above-named defendant for which this affidavit supports, and I agree to be bound as a condition of this bond by the provisions of Local Criminal Rule 46-6 as set forth at the bottom of this document and further acknowledge and agree that I and my personal representatives are bound as a condition of this bond, jointly and severally with the defendant and other sureties, to pay to the United States of America the sum of \$ 150,000, in the event that the bond is forfeited.

I further understand that it is my obligation to inform the Court and counsel of any change in residence address or employment of the defendant immediately upon becoming aware of such fact.

I further agree and understand that, unless otherwise ordered by the Court, the bond for which this affidavit supports is continuing bond (including any proceeding on appeal or review) which shall continue in full force and effect until such time as the undersigned is duly exonerated by Order of the Court.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on this 6th day of June, 20 22.

Lillian Diem Thai

Name of Surety

XXX-XX-5681

Social Security Number of Surety (Last 4 digits only)

/s/ Lillian D. Thai

Signature of Surety

Address of Surety _____

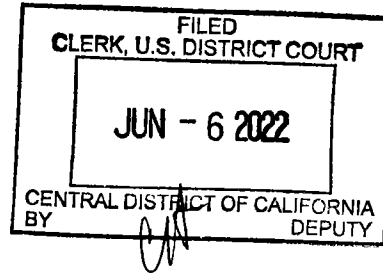
Sister

Relationship of Surety

City, State, Zip Code _____

Local Criminal Rule 46-6*Bond - Summary Adjudication of Obligation*

A bond or undertaking presented for filing shall contain consent of the principal and surety that, in case of default or contumacy on the part of the principal or surety, the Court, upon ten (10) days notice, may render a judgment summarily in accordance with the obligation undertaken and issue a writ of execution upon such judgment. An indemnitee or party in interest seeking a judgment on a bond or undertaking shall proceed by Motion for Summary Adjudication of Obligation and Execution. Service may be made on a corporate surety as provided in 31 U.S.C. § 9306.



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

United States of America,

Plaintiff,

v.

EMYLEE THAI a/k/a THU THAI

Defendant.

CASE NUMBER:

~~4:22-mj-1272~~
22mj2211

**ADVISEMENT OF
DEFENDANT'S STATUTORY &
CONSTITUTIONAL RIGHTS**

You are in the United States District Court for the Central District of California because you have been charged with a crime against the United States or a violation of probation, supervised release, or pretrial release. The Court informs you that you have the following constitutional and statutory rights in connection with these proceedings:

You have the right to remain silent. Anything you say, sign, or write can be used against you in this or in any other case.

If you have not already received a copy of the charges, you will receive a copy today.

You have the right to hire and be represented by a lawyer of your choosing at each and every stage of these proceedings. If you cannot afford to hire a lawyer, you can apply to the Court to have a lawyer appointed to represent you for free from the office of the Federal Public Defender or the Indigent Defense Panel. The application for free counsel includes a financial affidavit, which you must sign under penalty of perjury. If you say something on the form that is not true or leave out material information, you could be charged with another crime, such as perjury or making a false statement.

If you are not a United States citizen, you may request that the prosecution notify your consular office that you have been arrested. Even without such a request, the law may require the prosecution to do so.

IF YOU ARE MAKING YOUR INITIAL APPEARANCE BEFORE THE COURT

You have a right to a bail hearing in which the Magistrate Judge will determine whether you will be released from custody before trial. If you disagree with the Magistrate Judge's decision, you can appeal that decision to another Judge of this Court. You or the prosecutor can request that the bail hearing be continued to another day.

If you have been charged by complaint, you are entitled to a preliminary hearing within 14 days if the Magistrate Judge orders that you be detained pending trial, or 21 days if the Magistrate Judge orders that you be released pending trial. In a preliminary hearing, the prosecution will attempt to show that there is probable cause to believe that you committed the crime charged in the complaint. You will not be entitled to a preliminary hearing, however, if the prosecution obtains an indictment in your case before the time set for the preliminary hearing. (Most often, the prosecutors in the Central District of California present their cases to the grand jury before the time set for the preliminary hearing and, therefore, no preliminary hearing is held.)

**IF YOU ARE CHARGED WITH A VIOLATION OF
YOUR CONDITIONS OF SUPERVISED RELEASE OR PROBATION**

If you are charged with a violation of the terms and conditions of your supervised release or probation and the Magistrate Judge detains you, you have the right to a preliminary hearing before a Magistrate Judge.

IF YOU ARE CHARGED IN ANOTHER DISTRICT

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

IF YOU ARE APPEARING FOR ARRAIGNMENT

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: 6/6/22

Gonzalez Treai by Kall
[or] Signature of Defendant

I have personally heard a translation in the _____ language read to me and understand the above Advisement of Rights.

Dated: _____

Signature of Defendant

STATEMENT OF THE INTERPRETER:

I have translated this Advisement of Rights to the Defendant in the _____ language.

Dated: _____

Signature of Interpreter

Print Name of Interpreter

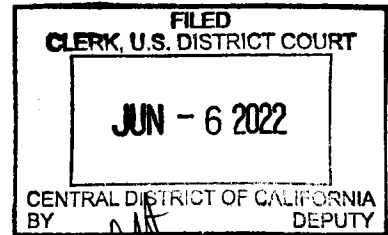
STATEMENT OF COUNSEL:

I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: 6/6/22

Karl
Signature of Attorney

NAME & ADDRESS



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

PLAINTIFF,

v.

EMYLEE THAI a/k/a THU THAI

USMS Reg. #:

DEFENDANT(S).

CASE NUMBER

~~4:22-mj-1272~~
22mj2211

**CONSENT TO VIDEO/TELEPHONIC CONFERENCE
AND/OR WAIVER OF DEFENDANT'S PRESENCE**

☐ AND PROPOSED FINDINGS/ORDER

Check each that applies:

☒ CONSENT TO VIDEO CONFERENCE/TELEPHONIC CONFERENCE☐ WAIVER OF DEFENDANT'S PRESENCE**1. Consent to Video Conference/Telephonic Conference**

I, EMYLEE THAI a/k/a THU THAI, understand that the U.S. Constitution, the Federal Rules of Criminal Procedure, and/or one or more federal statutes may give me the right to have all the below-listed proceedings take place in person in open court. After consultation with counsel, I knowingly and voluntarily consent to the proceedings below instead taking place by video conference or, if video conference is not reasonably available, by telephonic conference:

Check each that applies:

☒ Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142)☒ Initial Appearance (Fed. R. Crim. P. 5)☐ Preliminary Hearing (Fed. R. Crim. P. 5.1)☐ Arraignment (Fed. R. Crim. P. 10)☐ Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)☐ Waiver of Indictment (Fed. R. Crim. P. 7(b))☐ Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))☐ Appearances under Fed. R. Crim. P. 40☐ Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1)

Note: to consent to an appearance by video or telephonic conference at one of the two proceedings listed below, you must also complete the "Proposed Findings" section on page 2 of this form.

☐ Felony Pleas (Fed. R. Crim. P. 11)☐ Felony Sentencings (Fed. R. Crim. P. 32)**2. Waiver of Defendant's Presence**

I, _____, understand that the U.S. Constitution, the Federal Rules of Criminal Procedure, and/or one or more federal statutes may give me the right to be present at all of the below-listed proceedings - in person, by video conference, or by telephonic conference. After consultation with counsel, I knowingly and voluntarily waive my right to be present in person in open court or by video conference or by telephonic conference at the proceedings below:

Check each that applies (and use Form CR-35 to waive the defendant's presence at other types of proceedings):

☐ Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142)☐ Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1)☐ Preliminary Hearing (Fed. R. Crim. P. 5.1)☐ Waiver of Indictment (Fed. R. Crim. P. 7(b))☐ Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)☐ Appearances under Fed. R. Crim. P. 40☐ Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))

June 6, 2022

Date

Defendant

for Emylee Thai
Signed for Defendant by Counsel for Defendant with
Defendant's Authorization [Check if applicable]

In Custody?

☒ Yes ☐ NoFor in-custody defendants,
list institution where housed:

I have translated this consent/waiver to the Defendant in the _____ language.

Date

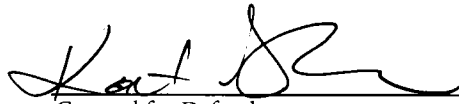
Interpreter (if required)

☐ Signed for Interpreter by Counsel for Defendant with
Interpreter's Authorization [Check if applicable]

I am counsel for the Defendant herein. Prior to the Defendant signing this document or authorizing me to sign this document on the Defendant's behalf, I fully advised the Defendant of the Defendant's above-referenced rights and consulted with the Defendant regarding such rights and the Defendant's consent/waiver(s). I believe that the Defendant understands such rights and that the Defendant's consent/waiver(s) are knowing and voluntary, and I concur with such consent/waiver(s).

6/6/22

Date



Counsel for Defendant

3. Proposed Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), felony pleas and sentencings cannot be conducted other than in person in open court unless the judge makes specific findings that the plea or sentencing "cannot be further delayed without serious harm to the interests of justice." Accordingly, if the defendant intends to consent to a felony plea or sentencing taking place by video conference or, if video conference is not reasonably available, by telephonic conference, instead of in person in open court, the defendant must set forth below proposed findings sufficient to make this showing.

4. Order Adopting Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), I hereby find that the:

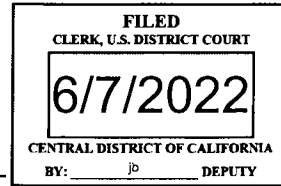
☐ Felony Plea (Fed. R. Crim. P. 11)

☐ Felony Sentencing (Fed. R. Crim. P. 32)

in this case cannot be further delayed without serious harm to the interests of justice, for the reasons set forth above.

Date

United States District Judge



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

PLAINTIFF

v.

EMYLEE THAI a/k/a THU THAI

DEFENDANT.

CASE NUMBER:

~~4:22 mj 1272~~
22 mj 2211

DECLARATION RE PASSPORT AND
OTHER TRAVEL DOCUMENTS

I, EMYLEE THAI, declare that

(Defendant/Material Witness)

- ☐ I have never been issued any passport or other travel document by any country. I will not apply for a passport or other travel document during the pendency of this case.
- ☒ I have been issued a passport or other travel document(s). I will surrender my passport and all other travel document(s) issued to me to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case.
- ☐ I am unable to locate my passport(s) or other travel document(s). If I locate any passport or other travel document issued to me, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.
- ☐ My passport and all other travel documents issued to me are in the possession of federal authorities. If any such document is returned to me during the pendency of this case, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 7th day of June, 2022
at Fountain Valley, CA

(City and State)

/s/ Emylee Thai

Signature of Defendant/Material Witness

If the declarant is not an English speaker, include the following:

I, _____, am fluent in written and spoken English and _____
languages. I accurately translated this form from English into _____
to declarant _____ on this date.

Date: _____

Interpreter

FILED

2022 JUN -6 AM 10:15

CENTRAL DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELESUNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES

PLAINTIFF(S)

v.

EMYLEE THAI

DEFENDANT(S).

CASE NUMBER

4:22-mj-1272

MJ 22-02211

DECLARATION RE
OUT-OF-DISTRICT WARRANT

The above-named defendant was charged by: CRIMINAL COMPLAINT

in the SOUTHERN District of TEXAS on 06/04/2022

at ☐ a.m. / ☐ p.m. The offense was allegedly committed on or about 10/2019

in violation of Title 49 U.S.C., Section(s) 1320a-tb(b)(1)(A)

to wit: VIOLATION OF ANTI-KICKBACK

A warrant for defendant's arrest was issued by: SOUTHERN DISTRICT OF TEXAS

Bond of \$ _____ was ☐ set / ☐ recommended.

Type of Bond:

Relevant document(s) on hand (attach):

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/06/22

Date

Signature of Agent

JESSE VAZQUEZ

Print Name of Agent

FBI

Agency

SPECIAL AGENT

Title

Submit this form by e-mail to:

CrimIntakeCourtDocs-LA@cacd.uscourts.gov For Los Angeles criminal duty.CrimIntakeCourtDocs-SA@cacd.uscourts.gov For Santa Ana criminal duty.CrimIntakeCourtDocs-RS@cacd.uscourts.gov For Riverside criminal duty.

FILED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

2022 JUN -6 AM 10:15

CENTRAL DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

UNITED STATES OF AMERICA

V.

PLAINTIFF

CASE NUMBER:

BY: m
4:22-mj-1272

EMYLEE THAI

REPORT COMMENCING CRIMINAL
ACTION

USMS#

DEFENDANT

TO: CLERK'S OFFICE, U.S. DISTRICT COURT

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

MJ 22-02211

1. The defendant was arrested in this district on 2:42 at ☐ AM ☒ PM
orThe defendant was arrested in the CENTRAL District of CALIFORNIA on 06/06/22 2:42 at ☐ AM ☒ PM2. The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: ☐ Yes ☒ No3. Defendant is in U.S. Marshals Service lock-up (in this court building): ☒ Yes ☐ No

4. Charges under which defendant has been booked:

18 USC 371 CONSPIRACY TO DEFRAUD THE UNITED STATES & 42 USC 1320a-7b(b)(1)(A) VIOLATION5. Offense charged is a: ☒ Felony ☐ Minor Offense ☐ Petty Offense ☐ Other Misdemeanor6. Interpreter Required: ☒ No ☐ Yes Language: _____7. Year of Birth: 19848. Defendant has retained counsel: ☐ No☒ Yes Name: _____ Phone Number: _____

9. Name of Pretrial Services Officer notified: _____

10. Remarks (if any): _____

11. Name: JESSE VAZQUEZ (please print)12. Office Phone Number: 571-456-963113. Agency: FBI14. Signature: [Signature]15. Date: 06/06/2022

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	Plaintiff,	Western Division	UNDER SEAL
vs.		Case Number: <u>2:22-MJ-02211</u>	Out of District Affidavit
<u>Emylee Thai</u>		Initial App. Date: <u>06/06/2022</u>	Custody
		Initial App. Time: <u>1:00 PM</u>	
	Defendant.	Date Filed: <u>06/06/2022</u>	
		Violation: <u>18:371</u>	
		CourtSmart Reporter: _____	

PROCEEDINGS HELD BEFORE UNITED STATES
MAGISTRATE JUDGE: Paul L. AbramsCALENDAR/PROCEEDINGS SHEET
LOCAL/OUT-OF-DISTRICT CASE

PRESENT: Howard, Christianna Andrew Tamayo None
Deputy Clerk Assistant U.S. Attorney Interpreter/Language

- ☐ INITIAL APPEARANCE NOT HELD - CONTINUED
- ☐ Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).
- ☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and preliminary hearing OR ☒ removal hearing / Rule 20.
- ☒ Defendant states true name ☒ is as charged ☐ is _____
- ☐ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.
- ☐ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered **SEALED**.
- ☒ Attorney: Alex Wyman Katherine Sawyer, Retained ☐ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)
- ☐ Special appearance by: _____
- ☒ Government's request for detention is: ☐ GRANTED ☒ DENIED ☐ WITHDRAWN ☐ CONTINUED
- ☒ Contested detention hearing is held. ☐ Defendant is ordered: ☐ Permanently Detained ☐ Temporarily Detained (see separate order).
- ☒ BAIL FIXED AT \$ 650,000 (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)
- ☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED
- ☐ Preliminary Hearing waived. ☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties
- ☐ This case is assigned to Magistrate Judge _____ Counsel are directed to contact the clerk for the setting of all further proceedings.
- ☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for District Judge _____ for the setting of further proceedings.
- ☐ Preliminary Hearing set for _____ at 4:30 PM
- ☐ PIA set for: _____ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana
- ☐ Government's motion to dismiss case/defendant _____ only: ☐ GRANTED ☐ DENIED
- ☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED
- ☒ Defendant executed Waiver of Rights. ☐ Process received.
- ☒ Court ORDERS defendant Held to Answer to Southern District of Texas @ Houston
- ☒ Bond to transfer, if bail is posted. Defendant to report on or before 6/27/2022
- ☐ Warrant of removal and final commitment to issue. Date issued: _____ By CRD: _____
- ☐ Warrant of removal and final commitment are ordered stayed until _____
- ☐ Case continued to (Date) _____ (Time) _____ AM / PM
- Type of Hearing: _____ Before Judge _____ /Duty Magistrate Judge.
- Proceedings will be held in the ☐ Duty Courtroom ☐ Judge's Courtroom
- ☐ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.
- ☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.
- ☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.
- ☒ RELEASE ORDER NO: Electronic ORDER
- ☐ Other: _____

☐ PSA ☐ USPO ☐ FINANCIAL☐ CR-10 ☐ CR-29☐ READY

Deputy Clerk Initials

: CAH
25

Case Name: United States of America v. Emylee ThaiCase No. MS 22-2211☒ Defendant ☐ Material Witness

☒ Avoid all contact, directly or indirectly (including by any electronic means), with any person who is a known victim or witness in the subject investigation or prosecution, ☐ including but not limited to _____

; ☐ except _____

☐ Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel. Notwithstanding this provision, you may contact the following codefendants without your counsel present:

☐ Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☒ Do not use or possess any identification, mail matter, access device, or any identification-related material other than in your own legal or true name without prior permission from Supervising Agency. ☒ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☐ Do not engage in telemarketing.

☐ Do not sell, transfer, or give away any asset valued at \$ _____ or more without notifying and obtaining permission from the Court, except _____

☐ Do not engage in tax preparation for others.

☐ Do not use alcohol.

☐ Participate in the electronic remote alcohol monitoring program as directed by Supervising Agency and abide by all the rules and requirements of the program. You must pay all or part of the costs for treatment based upon your ability to pay as determined by Supervising Agency.

☐ Do not use or possess illegal drugs or state-authorized marijuana. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☐ Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.

☐ Submit to: ☐ drug and/or ☐ alcohol testing. If directed to do so, participate in outpatient treatment approved by Supervising Agency. You must pay all or part of the costs for testing and treatment based upon your ability to pay as determined by Supervising Agency.

☐ Participate in residential ☐ drug and/or ☐ alcohol treatment as directed by Supervising Agency. You must pay all or part of the costs of treatment based upon your ability to pay as determined by Supervising Agency. ☐ Release to PSA only ☐ Release to USPO only

☐ Submit to a mental health evaluation. If directed to do so, participate in mental health counseling and/or treatment approved by Supervising Agency. You must pay all or part of the costs based upon your ability to pay as determined by Supervising Agency.

☒ Participate in the Location Monitoring Program marked below and abide by all of the requirements of the program and any indicated restrictions, under the direction of the Supervising Agency. You must pay all or part of the costs of the program based upon your ability to pay as determined by the Supervising Agency. You are financially responsible for any lost or damaged equipment.

Location Monitoring Technology

☐ Location Monitoring technology at the discretion of the Supervising Agency

or

Defendant's Initials: AWDate: 6/6/22

Case Name: United States of America v. Emylee ThaiCase No. MJ 22-2211☒ Defendant ☐ Material Witness

☐ Do not view or possess child pornography or child erotica. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property, including computer hardware and software, by Supervising Agency in conjunction with the U.S. Marshal.

☒ Other conditions:

Pretrial to approve any transfers over \$2,500⁰⁰ (from personal accounts)

Counsel to sign bond & Decl. re Passport

Defendant has 24 hours from release to sign and bond.

Release upon signed bond, Decl. re Passport & Affidavit by sister.

GENERAL CONDITIONS OF RELEASE

I will appear in person in accordance with any and all directions and orders relating to my appearance in the above entitled matter as may be given or issued by the Court or any judicial officer thereof, in that Court or before any Magistrate Judge thereof, or in any other United States District Court to which I may be removed or to which the case may be transferred.

I will abide by any judgment entered in this matter by surrendering myself to serve any sentence imposed and will obey any order or direction in connection with such judgment as the Court may prescribe.

I will immediately inform my counsel of any change in my contact information, including my residence address and telephone number, so that I may be reached at all times.

I will not commit a federal, state, or local crime during the period of release.

I will not intimidate any witness, juror, or officer of the court or obstruct the criminal investigation in this case. Additionally, I will not tamper with, harass, or retaliate against any alleged witness, victim, or informant in this case. I understand that if I do so, I may be subject to further prosecution under the applicable statutes.

I will cooperate in the collection of a DNA sample under 42 U.S.C. § 14135a.

Defendant's Initials: AWDate: 6/6/22

Case Name: United States of America v. Emylee ThaiCase No. MS 22-2211☒ Defendant☐ Material Witness

ACKNOWLEDGMENT OF DEFENDANT/MATERIAL WITNESS

As a condition of my release on this bond, pursuant to Title 18 of the United States Code, I have read or have had interpreted to me and understand the general conditions of release, the preconditions, and the additional conditions of release and agree to comply with all conditions of release imposed on me and to be bound by the provisions of Local Criminal Rule 46-6.

Furthermore, it is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which will continue in full force and effect until such time as duly exonerated.

I understand that violation of any of the general and/or additional conditions of release of this bond may result in a revocation of release, an order of detention, and a new prosecution for an additional offense which could result in a term of imprisonment and/or fine.

I further understand that if I fail to obey and perform any of the general and/or additional conditions of release of this bond, this bond may be forfeited to the United States of America. If said forfeiture is not set aside, judgment may be summarily entered in this Court against me and each surety, jointly and severally, for the bond amount, together with interest and costs. Execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States, and any cash or real or personal property or the collateral previously posted in connection with this bond may be forfeited.

6/6/2022
Date

[Signature]
Signature of Defendant / Material Witness

310-433-4633
Telephone Number

Los Angeles, CA
City and State (DO NOT INCLUDE ZIP CODE)

☐ Check if interpreter is used: I have interpreted into the _____ language this entire form and have been told by the defendant that he or she understands all of it.

Interpreter's Signature

Date

Approved: _____
United States District Judge / Magistrate Judge

Date

If cash deposited: Receipt # _____ for \$ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rule 46.)

Defendant's Initials: AW

Date: 6/6/22

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA		FILED CLERK, U.S. DISTRICT COURT JUN - 6 2022
		CENTRAL DISTRICT OF CALIFORNIA BY <i>[Signature]</i>
UNITED STATES OF AMERICA, v. EMYLEE THAI a/k/a THU THAI	PLAINTIFF DEFENDANT.	CASE NUMBER: 4:22-mj-01272 22mj2211
WAIVER OF RIGHTS (OUT OF DISTRICT CASES)		

I understand that charges are pending in the Southern District of Houston alleging violation of 18 U.S.C. Sections 371, 1320a-7b(1)(A) and that I have been arrested in this district and taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

-Check one only-



EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.



PROBATION OR SUPERVISED RELEASE CASES:

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:



- have an identity hearing
 arrival of process
 have a preliminary hearing
 have an identity hearing, and I have been informed that I have no right to a preliminary hearing
 have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Emylee Thai
 Defendant

[Signature]
 Defense Counsel

[Signature]
 United States Magistrate Judge

Date: June 6, 2022

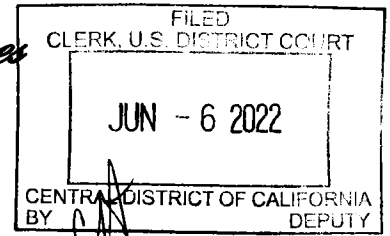
I have translated this Waiver to the defendant in the _____ language.

Date: _____

Interpreter(if required)

United States Probation & Pretrial Services

United States District Court
Central District of California



Kiry K. Gray
District Court Executive / Clerk of Court



Natasha Alexander-Mingo
Chief Probation & Pretrial Services Officer

Date: June 6, 2022
Re: Release Order Authorization
Docket Number: 2:22-MJ-02211
Defendant: Emylee Thai

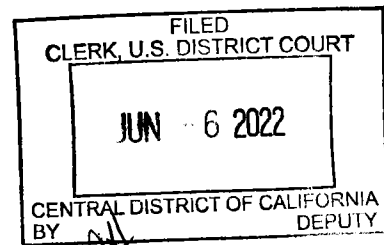
To Whom It May Concern:

The above-referenced defendant was ordered released on a bond that includes the special condition of placement into the Location Monitoring Program and **RELEASE TO PRETRIAL SERVICES ONLY**. The Location Monitoring Unit has been advised and is available to release the defendant from custody.

If you determine the bond has been satisfied, please prepare a release order with the **RELEASE TO PRETRIAL SERVICES ONLY** box checked for the duty Magistrate Judge's signature.

Sincerely,

DILLON FELKEL
U.S. Probation & Pretrial Services Officer
Telephone No. 562-980-4111



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2 SCOTT M. GARRINGER
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E-mail: Alexander.Su@USDOJ.gov

8 Attorneys for Plaintiff
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 EMYLEE THAI,

16 Defendant.

Case 2:22-MJ-02211

GOVERNMENT'S NOTICE OF REQUEST FOR
DETENTION

17
18 Plaintiff, United States of America, by and through its counsel
19 of record, hereby requests detention of defendant and gives notice of
20 the following material factors:

21 ☐ 1. Temporary 10-day Detention Requested (§ 3142(d)) on the
22 following grounds:

23 ☐ a. present offense committed while defendant was on release
24 pending (felony trial),

25 ☐ b. defendant is an alien not lawfully admitted for
26 permanent residence; and

27
28

- 1 ☐ c. defendant may flee; or
- 2 ☐ d. pose a danger to another or the community.
- 3 ☐ 2. Pretrial Detention Requested (§ 3142(e)) because no
- 4 condition or combination of conditions will reasonably
- 5 assure:
- 6 ☐ a. the appearance of the defendant as required;
- 7 ☐ b. safety of any other person and the community.
- 8 ☒ 3. Detention Requested Pending Supervised Release/Probation
- 9 Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C.
- 10 § 3143(a)):
- 11 ☒ a. defendant cannot establish by clear and convincing
- 12 evidence that he/she will not pose a danger to any
- 13 other person or to the community;
- 14 ☒ b. defendant cannot establish by clear and convincing
- 15 evidence that he/she will not flee.
- 16 ☐ 4. Presumptions Applicable to Pretrial Detention (18 U.S.C.
- 17 § 3142(e)):
- 18 ☐ a. Title 21 or Maritime Drug Law Enforcement Act ("MDLEA")
- 19 (46 U.S.C. App. 1901 et seq.) offense with 10-year or
- 20 greater maximum penalty (presumption of danger to
- 21 community and flight risk);
- 22 ☐ b. offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or
- 23 2332b(g)(5)(B) with 10-year or greater maximum penalty
- 24 (presumption of danger to community and flight risk);
- 25 ☐ c. offense involving a minor victim under 18 U.S.C.
- 26 §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251,
- 27 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4),
- 28

2260, 2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);

- ☐ d. defendant currently charged with an offense described in paragraph 5a - 5e below, AND defendant was previously convicted of an offense described in paragraph 5a - 5e below (whether Federal or State/local), AND that previous offense was committed while defendant was on release pending trial, AND the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

☒ 5. Government Is Entitled to Detention Hearing Under § 3142(f) If the Case Involves:

- ☐ a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or more;
- ☐ b. an offense for which maximum sentence is life imprisonment or death;
- ☐ c. Title 21 or MDLEA offense for which maximum sentence is 10 years' imprisonment or more;
- ☐ d. any felony if defendant has two or more convictions for a crime set forth in a-c above or for an offense under state or local law that would qualify under a, b, or c if federal jurisdiction were present, or a combination or such offenses;

☐ e. any felony not otherwise a crime of violence that involves a minor victim or the possession or use of a firearm or destructive device (as defined in 18 U.S.C. § 921), or any other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250;

☒ f. serious risk defendant will flee;

☒ g. serious risk defendant will (obstruct or attempt to obstruct justice) or (threaten, injure, or intimidate prospective witness or juror, or attempt to do so).

☐ 6. Government requests continuance of ____ days for detention hearing under § 3142(f) and based upon the following reason(s):

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1 ☐ 7. Good cause for continuance in excess of three days exists in
2 that:

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4
5
6
7

8 Dated: June 6, 2022

Respectfully submitted,

9 TRACY L. WILKISON
10 United States Attorney

11 SCOTT M. GARRINGER
12 Assistant United States Attorney
Chief, Criminal Division

13 /s/ Alexander Su
14 ALEXANDER SU
Assistant United States Attorney

15 Attorneys for Plaintiff
16 UNITED STATES OF AMERICA